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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
In re:

HOTI ENTERPRISES, LP. Chapter 11  
Case No. 10-24129(RDD)

Debtor.  
----- X  
In re:

HOTI REALTY MANAGEMENT CO., INC. Chapter 11  
Case No. 10-24130(RDD)

Debtor.  
----- X

**APPLICATION FOR ORDER EXTENDING TIME FOR  
FILING SCHEDULES OF ASSETS AND LIABILITIES  
AND STATEMENT OF FINANCIAL AFFAIRS**

**TO: THE HONORABLE ROBERT D. DRAIN  
UNITED STATES BANKRUPTCY JUDGE:**

The above captioned debtors and debtors-in-possession (collectively, the “Debtors”) by their proposed attorneys, Rattet, Pasternak & Gordon-Oliver, LLP, file this application (the “Application”), for an order extending the Debtors’ time for filing their Schedules of Assets and Liabilities and Statement of Financial Affairs. In support of the Application, the Debtors respectfully state and represent as follows:

## **JURISDICTION**

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334 and the “Standing Order of Referral of Cases to Bankruptcy Judges” of the District Court dated July 10, 1984 (Ward, Acting C.J.). This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

2. Venue of this proceeding and the within application in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

## **BACKGROUND**

3. On October 12, 2010 (the “Petition Date”), the Debtors filed their respective voluntary petitions for relief under chapter 11 of Title 11 of the United States Code, as amended by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (the “Bankruptcy Code”) (the “Chapter 11 Cases”).

4. Thereafter the instant proceedings were referred to Your Honor for administration under the Code.

5. The Debtor Hoti Enterprises, L.P., is a single asset real estate holding company that owns an apartment complex located at 2801 Fillmore Avenue, 3001 Avenue R and 2719 Fillmore Avenue (collectively, known as “1865 Burnett Street”) Brooklyn, New York (the “Property”). The debtor Hoti Realty Management Co., Inc. was in the business of owning and operating a real estate management company that operated the Property prior to the appointment of a Receiver of Rents in a foreclosure proceeding against Hoti Enterprises, LP. encaptioned *GEPMC 2007-C1 Burnett Street, LLC. v. Hoti Enterprises, L.P., et al.* (N.Y. Supreme Court, Kings County, Index No. 5006/2009) (the “Foreclosure Action”).

6. The Debtor’s Application for Joint Administrative Consolidation (the

“Application for Joint Administration”) for procedural purposes, in order to promote an efficient and effective reorganization, is *sub judice* before this Court.

7. The debtor Hoti Enterprises although it is still the titled owner of the Property is currently not in possession of the Property as a result of the appointment of a Receiver of Rents the Foreclosure Action. The debtor Hoti Realty Management Co., Inc. is also not currently operating its business as a result of the appointment of the Receiver.

8. No Trustee, examiner or Creditors’ Committee has been appointed in these proceedings.

### **RELIEF REQUESTED AND THE BASIS THEREOF**

9. By this Application, the Debtors request additional time for filing their respective Schedules of Assets and Liabilities and Statement of Financial Affairs.

10. As a result of numerous factors, namely including the possession of the debtors’ Property and certain books and records by the Receiver, the Debtors do not expect to be able to file their completed Schedules of Assets and Liabilities and Statement of Financial Affairs within the requisite fifteen (15) days.

11. The Debtors’ books and records, which are needed to complete the schedules, are currently being compiled and reviewed by the Debtors, together with their proposed counsel, in order to gather and analyze the information needed to file their respective Schedules and Statement of Financial Affairs. The Debtors expects to have all necessary information to enable them to complete the preparation of the aforementioned Schedules by November 15, 2010, or such other date that is prior to the initial case conference set by the Court and also prior to the Section 341(a) Meeting of Creditors. Accordingly, the Debtors desire an extension of time until such date within which to complete and file their respective Statement of Financial Affairs and

Schedule of Assets and Liabilities.

12. No prior request for the relief sought herein has been made heretofore.

**WHEREFORE**, the Debtors respectfully request that the Court enter the pre-fixed Orders extending to and until November 15, 2010, the date by which the Debtors' respective

Schedules of Assets and Liabilities and Statement of Financial Affairs must be filed herein, and  
for such other and further relief as is just and proper under the circumstances.

Dated: Harrison, New York  
October 12, 2010

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By: /s/ Arlene Gordon-Oliver  
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